

06/13/02

3763

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Approved for use through 10/31/2002. OMB 0651-0031

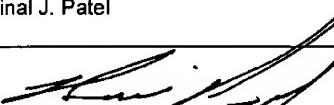
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|------------------|
| | | Application Number | 09/686,468 |
| | | Filing Date | October 11, 2000 |
| | | First Named Inventor | Nathan Torgerson |
| | | Group Art Unit | 3763 |
| | | Examiner Name | Manual Mendez |
| Total Number of Pages in This Submission | 16 | Attorney Docket Number | 11738.00001 |

| ENCLOSURES (check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Express Mail Certificate Return Receipt Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Binal J. Patel |
| Signature |  |
| Date | June 12, 2002 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

| | | |
|-----------------------|--|------|
| Typed or printed name | | Date |
| Signature | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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O P E
JUN 12 2002
SEARCHED & INDEXED
S335

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1504

| Complete If Known | |
|----------------------|------------------|
| Application Number | 09/686,468 |
| Filing Date | October 11, 2000 |
| First Named Inventor | Nathan Torgerson |
| Examiner Name | Manual Mendez |
| Group / Art Unit | 3763 |
| Attorney Docket No. | 11738.00001 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
 Order
 Deposit Account:

Deposit Account Number

19-0733

Deposit Account Name

Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity | Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$ 0

2. EXTRA CLAIM FEES

| Total Claims | 60 | -32 ** | = 28 | X 18 | = 504 |
|--------------------|----|--------|------|------|-------|
| Independent Claims | 6 | -5 ** | = 1 | X 80 | = 80 |
| Multiple Dependent | | | | X | = 0 |

Large Entity | Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 103 | 18 | 203 | 9 | Claims in excess of 20 | |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 | |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid | |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent | |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2)

(\$ 584

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
| | | 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| | | 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| | | 139 | 130 | 139 | 130 | Non-English specification | |
| | | 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| | | 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| | | 113 | 1,840* | 113 | 1,840* | Requesting publication of BRI after Examiner action | |
| | | 115 | 110 | 215 | 55 | Extension for reply within first month | |
| | | 116 | 400 | 216 | 200 | Extension for reply within second month | |
| | | 117 | 920 | 217 | 460 | Extension for reply within third month | |
| | | 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| | | 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| | | 119 | 320 | 219 | 160 | Notice of Appeal | |
| | | 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| | | 121 | 280 | 221 | 140 | Request for oral hearing | |
| | | 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| | | 140 | 110 | 240 | 55 | Petition to revive – unavoidable | |
| | | 141 | 1,280 | 241 | 640 | Petition to revive – unintentional | |
| | | 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| | | 143 | 460 | 243 | 230 | Design issue fee | |
| | | 144 | 620 | 244 | 310 | Plant issue fee | |
| | | 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| | | 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17 (q) | |
| | | 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| | | 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| | | 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| | | 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| | | 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| | | 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

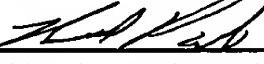
Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 920

**or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY | | | | | | Complete (if applicable) | |
|-------------------|---|----------------------------------|--------|-----------|---------------|--------------------------|--|
| Name (Print/Type) | Binal J. Patel | Registration No. Attorney/Agent) | 42,065 | Telephone | 312.715.1000 | | |
| Signature |  | | | Date | June 12, 2002 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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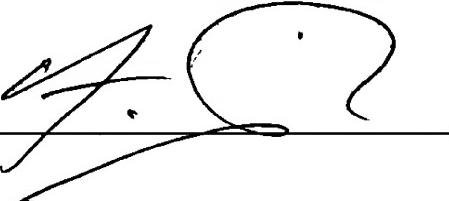
**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

JUN 24 2002

TO 3700 MAIL ROOM
Express Mail No. EV075509392US

Deposited: June 12, 2002

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.

By: 

Application of: Torgerson et al.

Application No.: 09/686,468

Filing Date: October 11, 2000

Title: Implantable Non-Invasive Rate-Adjustable Pump

Transmitted herewith are the following documents:

- Transmittal Form (1 page) in duplicate
- Fee Transmittal (1 page) in duplicate
- Petition for Extension of Time (1 page)
- Amendment and Response (13 pages)
- Return Postcard

Attorney Case No.: 11738.00001